IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTIETH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 8785 of 2005

Between:

Dammalapati Srinivas, D/o Nageswara Rao,
R/o 3-509, Divyashakti Apartments, Ameerpet, Hyderabad

..... PETITIONER

AND

1. The Commissioner, Bhimavaram Municipality,

Bhimavaram, West Godavari District.

2. The Commissioner, Nellore Municipality,

Nellore, Nellore District.

3. The Commissioner, Eluru Municipality,

Eluru, West Godavari District.

4. The Commissioner, Ongole Municipality,

Ongole, Prakasam District.

5. The Commissioner, Vizianagaram Municipality,

Tadepalligudem, East Godavari District.

6. The Commissioner, Tadepalligudem Municipality,

Tadepalligudem, West Godavari District.

7. The Commissioner, Rajahmundry Municipal Corporation,

Rajahmundry, East Godavari District.

8. The Commissioner, Kakinada Municipality,

Kakinada, East Godavari District.

9. The Commissioner, Gajuwaka Municipality,

Gajuwaka, Visakhapatnam District.

10. The Commissioner, Tenali Municipality,

Tenali, Guntur District.

11. The Commissioner, Narsapur Municipality,

Narsapur, West Godavari District.

12. The Commissioner, Tuni Municipality,

Tuni, East Godavari District.

13. The Commissioner, Tanuku Municipality,

Tanuku, West Godavari District.

14. The Commissioner, Kavali Municipality,

Kavali, Nellore District.

15. The Commissioner, Bapatla Municipality,

Bapatla, Guntur District.

16. The Commissioner, Chirala Municipality,

Chirala, Prakasam district.

17. The Commissioner, Gudur Municipality,

Gudur, Nellore District.

18. The Commissioner, Parvathipuram Municipality,

Parvathipuram, Vizianagaram District.

19. The Commissioner, Palkol Municipality,

Palkol, West Godavari District.

20. The Commissioner, Amalapuram Municipality,

Amalapuram, East Godavari District.

21. The Commissioner, Srikakulam Municipality,

Srikakulam, Srikakulam District.

22. The Commissioner, Anakapalli Municipality,

Anakapalli, Visakhapatnam District.

23. The Commissioner, Narsaraopet Municipality,

Narsaraopet, Guntur District.

24. The Commissioner, Bhyeemunipatnam Municipality,

Bheemunipatnam, Visakhapatnam District.

25. The Commissioner, Palasa Municipality,

Palasa, Srikakulam District.

26. The Commissioner, Gudiwada Municipality,

Gudivada, Krishna District.

27. The Commissioner, Kovvur Municipality,

Kovvur, West Godavari District.

28. The Commissioner, Markapur Municipality,

Markapur, Prakasham District.

29. The Commissioner, Jaggaiahpet Municipality,

Jaggaiahpet, Krishna District.

30. The Commissioner, Machilipatnam Municipality,

Chilakaluripet, Guntur District.

31. The Commissioner, Machilipatnam Municipality,

Machilipatnam, Krishna District.

32. The Commissioner, Nidadavole Municipality,

Nidadavole, West Godavari District.

33. The Commissioner, Mandapeta Municipality,

Mandapeta, East Godavari District.

34. The Commissioner, Ichapuram Municipality,

Ichapuram, Srikakulam District.

35. The Commissioner, Ramachandrapuram Municipality,

Ramachandrapuram, East Godavari District.

36. The Commissioner, Pedanna Municipality,

Pedanna, Krishna District.

37. The Commissioner, Samalkot Municipality,

Samalkot, East Godavari District.

38. The Commissioner, Repalle Municipality,

Repalle, Guntur District.

39. The Commissioner, Mangalagiri Municipality,

Mangalagiri, Guntur District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not paying the legal fee to the petitioner as per fee bill dt 29-12-2004 is arbitrary, illegal and consequently direct the respondents to pay the legal fee to the petitioner as shown in the statement appended to the Writ Petition and to pass such other order or further orders as are deemed fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.VENKATESWARLU POSANI

Counsel for the Respondents: MR.S.NAGESWARA REDDY

The Court, at the admission, stage made the following :

ORDER:

This writ petition is filed seeking a declaration that the action of the respondents in not paying the legal fee to the petitioner as per the fee bill dated 29.12.2004 is arbitrary and illegal.

The petitioner is a practicing advocate. It is not in dispute that the petitioner was appointed as a standing counsel for the Municipalities (Andhra Area) in the month of June, 2002 and has represented the respondents before this Court as well as the A.P., Administrative Tribunal in several cases until his successor has been appointed in the month of November, 2004. The petitioner states that he was not paid the legal fee to which he is entitled to in number of cases and therefore he has sent a consolidated fee bill dated 29.12.2004 to the respondents through registered post with acknowledgement due. The only grievance of the petitioner is that the respondents have not paid the legal fee even till today and the consolidated bill has been merely kept pending. Hence this writ petition.

Having heard learned counsel for the petitioner and Sri.S.Nageswara Reddy, learned standing counsel appearing for the respondents and in view of the undisputed fact that the petitioner was appointed as Standing Counsel for the Municipalities and appeared for the respondents during his tenure, and on a perusal of the material on record, which shows that the petitioner has submitted a consolidated bill as long back as on 29.12.2004, I deem it appropriate to dispose of the writ petition with a direction to the respondents to process the said bill submitted by the petitioner dated 29.12.2004 and to make the payment to the petitioner in accordance with law, as expeditiously as possible, preferably within a period of eight weeks from the date of receipt of this order.

The writ petition is accordingly disposed of. No costs.

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20.04.2005

Note : Furnish C.C.,in three days.

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